

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

MONTEZ LEE (#Y36908),

Plaintiff,

v.

TARRY WILLIAMS, and CORRECTIONAL  
OFFICER (Badge #12651),

Defendants.

Civil Action No. 3:23-cv-50350

Honorable Iain D. Johnston

**STATUS REPORT**

On July 23, 2025, this Court, “[o]n its own motion,... recruit[ed] attorney Michael P. Bregenzer, to represent Plaintiff in accordance with counsel’s trial bar obligations under N.D. Ill. Local Rules 83.11(h) and 83.37.” Dkt. No. 42. In addition, this Court ordered Mr. Bregenzer to “file a status report indicating what efforts he has made to identify the proper Defendant in this action” by October 3, 2025. *Id.*

**Summary**

Based on the efforts set forth below, counsel is currently unable to determine the identity of the proper defendant(s) because the information obtained thus far has been insufficient to do so. Counsel believes that once it is able to complete the additional steps discussed below, it will be in a position to either (a) provide the Court with the identity of the proper defendant(s) or (b) recommend that the Court permit Mr. Lee to proceed with a complaint naming “John Doe” as the defendant.

Pursuant to the Court’s July 23, 2025 Order, counsel made the following efforts to identify the correct defendant in this matter:

**1. FOIA Request:**

On August 14, 2025, counsel submitted a Freedom of Information Act Request (“FOIA Request”) to the Illinois Department of Corrections (“IDOC”) for documents relating to (1) the incident giving rise to this action, and (2) the procedures and policies related thereto. A copy of the FOIA Request is attached hereto as Exhibit 1.

On August 21, 2025, the FOIA request was denied as being vague and overbroad in nature. A copy of the denial is attached hereto as Exhibit 2. In an effort to understand IDOC’s objections, counsel attempted to contact the FOIA officer via phone on August 22, 25, and 26, 2025. When unable to reach the FOIA officer by phone, counsel emailed the FOIA officer on August 26, 2025. Except for a response on August 27, 2025, questioning the existence of the request, counsel was unable to establish a line of communication to meet and confer with the FOIA officer. A copy of the email correspondence between counsel and the FOIA officer discussing the FOIA Request is attached here to as Exhibit 3.

On September 2, 2025, counsel submitted an amended FOIA request in an effort to address the concerns raised in the August 21, 2025 denial of the original FOIA Request (“Amended FOIA Request”). A copy of the Amended FOIA Request is attached hereto as Exhibit 4. On September 9, 2025, counsel received a response stating that IDOC was extending the time to respond to the Amended FOIA Request to September 16, 2025. *See* Exhibit 5. But, when counsel did not receive any further response to the Amended FOIA Request by September 18, 2025, counsel emailed the FOIA officer inquiring about the status of the request. The FOIA officer indicated that IDOC was waiting on documents from different units. On September 25, 2025, counsel followed up again having received no documents or further communication from the FOIA officer. The FOIA officer responded that IDOC was still waiting on documents from one unit. A copy of that email

correspondence is attached hereto as Exhibit 6. Finally, on September 26, 2025, IDOC provided a response to the Amended FOIA Request, producing seven documents related to contraband logs, incident reports from Housing Unit 28 (the housing unit in which Mr. Lee resided), hall check reports from Housing Unit 28, and policies and directives concerning cell searches.

On October 3, 2025, counsel served a third FOIA Request (the “Third FOIA Request”) because the documents produced in response to the Amended FOIA Request and documents produced in response to the IDOC Subpoena discussed below did not allow counsel to determine who conducted the strip search of Montez Lee on July 15, 2022. The Third FOIA Request is attached hereto as Exhibit 7.

**2. IDOC Subpoena:**

On August 21, 2025, counsel served a subpoena for documents on IDOC (“IDOC Subpoena”). A copy of the IDOC Subpoena and Affidavit of Process Server is attached hereto as Exhibit 8.

The deadline for response to the IDOC Subpoena was September 4, 2025. IDOC did not provide a response to the IDOC Subpoena on September 4, 2025. Counsel followed up via email on September 5, 9, 15, and 23, 2025. IDOC finally responded on September 23, 2025, indicating that the subpoena had been sent to Dixon Correctional Center Litigation Coordinator Michelle Geerts and Attorney Gwendolyn Drake. A copy of the email correspondence between Irwin IP and IDOC referencing the IDOC Subpoena is attached hereto as Exhibit 9.

On September 23, 2025, Irwin IP emailed Ms. Geerts and Ms. Drake inquiring about the status of IDOC’s response to the IDOC Subpoena. IDOC did not respond to this email. A copy of the email correspondence between counsel, Ms. Geerts, and Ms. Drake referencing the IDOC Subpoena is attached hereto as Exhibit 10.

On September 29, 2025, counsel received a phone call from Ryan Farrisee with the Attorney General's office. Mr. Farrisee indicated he would be handling the subpoena and offered an expected response date of September 30, 2025. IDOC's response to the subpoena was received on September 30, 2025. IDOC produced seven documents and 71 videos. Counsel is in the process of reviewing this production, but a preliminary review has indicated that this production does not identify the individuals involved in the strip search of Mr. Lee.

**3. Montez Lee Interview:**

On August 25, 2025, Katie Schelli and Bailey Sanders—associates at Irwin IP LLP—traveled to Dixon Correctional Center, located at 2600 N. Brinton Ave, Dixon, IL, to interview Mr. Lee. During the interview, the parties discussed, *inter alia*, the incident giving rise to this action, DCC's facilities, and the history of the case and pleadings therein in an effort to understand what documents and videos might be available to permit counsel to determine the identity of the proper defendant(s).

**4. Requests for Production of Documents and Things:**

On September 15, 2025, counsel served a first set of requests for production of documents and things on Defendant Spelman. A copy of the first set of requests for production of documents and things is attached hereto as Exhibit 11. The response deadline for these requests is October 15, 2025.

**5. Interrogatories:**

On September 15, 2025, counsel served a first set of interrogatories on Defendant Spelman. A copy of the first set of interrogatories is attached hereto as Exhibit 12. The response deadline for these interrogatories is October 15, 2025.

**6. Depositions:**

On October 3, 2025, counsel asked Assistant Attorney General Farrisee whether he would accept service of a Rule 30(b)(6) deposition subpoena directed at IDOC. A copy of this subpoena is attached hereto as Exhibit 13. Mr. Farrisee responded stating that he could not accept service on behalf of IDOC and provided Counsel with the appropriate address to serve the subpoena. Counsel plans on serving IDOC the week of October 6, 2025 with this subpoena.

On October 3, 2025, counsel asked Assistant Attorney General Farrisee whether he would accept service of a deposition subpoena directed to Brandt Boel—the shift supervisor during the events giving rise to this action. A copy of this subpoena is attached hereto as Exhibit 14. Mr. Farrisee advised Counsel that he cannot accept service. However, he indicated that he would provide Counsel with the proper service address for the subpoena directed to Mr. Boel. Counsel plans on serving Mr. Boel the week of October 6, 2025 with this subpoena once they have been provided with the proper address.

**7. Recommendation:**

Based on the foregoing, counsel respectfully requests (1) that this Court allow an additional 60 days to complete the aforementioned discovery; and (2) that this Court order counsel to file an updated status report no later than December 5, 2025.

Dated: October 3, 2025

Respectfully submitted,

/s/ Michael P. Bregenzer

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served via CM/ECF on  
October 3, 2025 upon all counsel of record.

/s/ Jennifer Frangella

Jennifer Frangella